

### **REMARKS**

This amendment is responsive to the Office Action of January 4, 2008. Reconsideration and allowance of claims 1-16 are requested.

### **The Office Action**

Claims 1-16 stand rejected under 35 U.S.C. 102(b) over Snyder (US 6,287,328).

### **Claim Objections**

With respect to the Examiner's objections, Applicant acknowledges and has made corrections with respect to the spelling error in claims 1, 5, 7 and 13. As per Examiner's lack of antecedent basis objection to claims 2-6, 8-12, 14 and 15, Applicant respectfully disagrees with the objection, but has amended the claims as per the Examiner's suggestion in order to facilitate and expedite examination of the present application.

### **The Claims are not Anticipated by Snyder**

With respect to the Examiner's rejection, as per the Snyder reference, Snyder arguably discloses a device that determines whether an event signal is corrupt. However, the present application discloses use of a history of multiple event signals to determine whether the indicated corruption in a signal is relevant or is a false alarm. Thus both devices perform substantially different functions.

The Snyder reference arguably discloses a device that determines a correlation between a single event signal and non-event signals. However, the applicant device determines a correlation between a plurality of at least two event signals and the non-event signals. Furthermore, the applicant's device performs a global correlation for a first time period, and then a local correlation for another at least two event signals for a second, shorter time period. Snyder does not perform in this manner. Rather, Snyder performs by taking one, and only one, event signal taken at one specific time, with and comparing it with non-event signals that perform as artificial references. Finally, the applicant's device determines a cross correlation for the history of event signals. Snyder does not. Rather, Snyder does not use a history of event signals because Snyder only uses one event signal. The Snyder reference does not disclose the present application's use of multiple event signals, global correlations, local

correlations, a history of event signals, or time periods. Thus both devices perform in substantially different ways.

Finally, use of the present application results in a determination of whether the corruption of a signal is within a range level of signal corruption is within the history of signal corruption, while use of Snyder merely results in determining whether or not a signal is corrupt. Thus, both produce substantially different results.

The present application differs from Snyder because both devices perform in substantially different functions in substantially different ways in order to produce substantially different results and thus the present application is patentable over the Snyder reference.

Claim 1 calls for an input, controller and memory to determine the global correlation for at least two event signals over a first time period, a local correlation for at least two signals over a second shorter time period, a determination of a deviation between a local correlation vector and a global correlation vector, and a determination of an average deviation from the correlation vector to detect an artifact in one of the event signals. By contrast, Snyder discloses a system that uses only one event signal, which coexists with two or more non-event signals, where Snyder separates the event and non-event signals and determines the correlation between the one event and the two or more non-event signals. Snyder also does not calculate averages or compare a deviation from either a local or a global correlation vector.

Claim 7 calls for at least two event signals. By contrast Snyder distinguishes events and non-event signals.

Claim 13 calls for a means for determining an average deviation from a deviation and detecting an artifact based on the average deviation.

### **The Present Amendment**

Applicant has amended the claims to correct the grammar and spelling errors as per the Examiner's suggestions. Thus the claims are now in condition to overcome the Examiner's objections.

Applicant has amended dependent claim 4 so as to place claim 4 into independent form.

Applicant believes that the application, as amended is presently in condition for allowance.

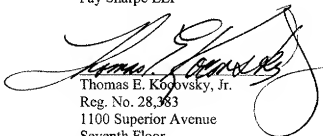
**CONCLUSION**

For the reasons set forth above, it is submitted that all claims distinguish patentably over the references of record and meet all statutory requirements. An early allowance of claims 1-16 is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, she is requested to telephone Thomas Kocovsky at (216) 861-5582.

Respectfully submitted,

Fay Sharpe LLP

A handwritten signature in black ink, appearing to read "Thomas E. Kocovsky, Jr.", is written over the printed name and address. The signature is stylized and fluid.

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